

1  
ORDINANCE NO. 96- 34

2 AN ORDINANCE OF THE BOARD OF COUNTY  
3 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA  
4 AMENDING THE 1989 PALM BEACH COUNTY  
5 COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO.  
6 89-17, AS AMENDED, AMENDING THE TEXT OF THE  
7 TRAFFIC CIRCULATION ELEMENT (TO REVISE THE  
8 LEVEL OF SERVICE TABLES) AND AMENDING ALL  
9 ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF  
10 LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY;  
11 PROVIDING FOR INCLUSION IN THE CODE OF LAWS  
12 AND ORDINANCES OF PALM BEACH COUNTY; AND  
13 PROVIDING FOR AN EFFECTIVE DATE.

14 **WHEREAS**, on August 31, 1989, the Palm Beach County Board of  
15 County Commissioners adopted the 1989 Comprehensive Plan by  
16 Ordinance No. 89-17; and

17 **WHEREAS**, the Palm Beach County Board of County Commissioners  
18 amends the 1989 Comprehensive Plan as provided by Chapter 163, Part  
19 II, Florida Statutes; and

20 **WHEREAS**, the Palm Beach County Board of County Commissioners  
21 have initiated amendments to several elements of the Comprehensive  
22 Plan in order to promote the health, safety and welfare of the  
23 public of Palm Beach County; and

24 **WHEREAS**, the Palm Beach County Local Planning Agency  
25 conducted a public hearing on April 19, April 26, and May 10, 1996,  
26 to review the proposed amendments to the Palm Beach County  
27 Comprehensive Plan and made recommendations regarding the proposed  
28 amendments to the Palm Beach County Board of County Commissioners  
29 pursuant to Chapter 163, Part II, Florida Statutes; and

30 **WHEREAS**, the Palm Beach County Board of County Commissioners,  
31 as the governing body of Palm Beach County, conducted a public  
32 hearing pursuant to Chapter 163, Part II, Florida Statutes, on May  
33 20, 1996, to review the recommendations of the Local Planning  
34 Agency, whereupon the Board of County Commissioners authorized  
35 transmittal of proposed amendments to the Department of Community  
36 Affairs for review and comment pursuant to Chapter 163, Part II,  
37 Florida Statutes; and

38 **WHEREAS**, Palm Beach County received on August 9, 1996, the  
39 Department of Community Affairs "Objections, Recommendations, and  
40 Comments Report," dated August 7, 1996, which was the Department's

1 written review of the proposed Comprehensive Plan amendments; and

2                   **WHEREAS**, on September 4, 1996, the written comments submitted  
3 by the Department of Community Affairs, and the Planning Division's  
4 response to the written comments, were distributed to the Palm  
5 Beach County Local Planning Agency for review, and to make  
6 recommendations regarding adoption of the Comprehensive Plan  
7 amendments; and

8                   **WHEREAS**, on September 26, 1996, the Palm Beach County Board of  
9 County Commissioners held a public hearing to review the written  
10 comments submitted by the Department of Community Affairs and to  
11 consider adoption of the amendments; and

12                  **WHEREAS**, the Palm Beach County Board of County Commissioners  
13 has determined that the amendments as modified satisfy the concerns  
14 addressed in the Department of Community Affairs' "Objections,  
15 Recommendations and Comments Report" and comply with all  
16 requirements of the Local Government Comprehensive Planning and  
17 Land Development Regulations Act.

18                  NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
19 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

20                  Part I. Amendments to the 1989 Comprehensive Plan

21                  Amendments to the text of the Traffic Circulation Element (to  
22 revise the level of service tables) of the Palm Beach County 1989  
23 Comprehensive Plan are hereby adopted and are attached to this  
24 Ordinance in Exhibit 1.

25                  Part II. Repeal of Laws in Conflict

26                  All local laws and ordinances applying to the unincorporated  
27 area of Palm Beach County in conflict with any provision of this  
28 ordinance are hereby repealed to the extent of such conflict.

29                  Part III. Severability

30                  If any section, paragraph, sentence, clause, phrase, or word  
31 of this Ordinance is for any reason held by the Court to be  
32 unconstitutional, inoperative or void, such holding shall not  
33 affect the remainder of this Ordinance.

34                  Part IV. Inclusion in the Code of Laws and Ordinances

35                  The provision of this Ordinance shall become and be made a

1 part of the code of laws and ordinances of Palm Beach County,  
2 Florida. The Sections of the Ordinance may be renumbered or  
3 relettered to accomplish such, and the word "ordinance" may be  
4 changed to "section," "article," or any other appropriate word.

5 **Part V. Effective Date**

6 The effective date of this plan amendment shall be the date a  
7 final order is issued by the Department of Community Affairs or  
8 Administration Commission finding the amendment in compliance in  
9 accordance with Section 163.3184, Florida Statutes, whichever  
10 occurs earlier. No development orders, development permits, or  
11 land uses dependent on this amendment may be issued or commence  
12 before it has become effective. If a final order of noncompliance  
13 is issued by the Administration Commission, this amendment may  
14 nevertheless be made effective by adoption of a resolution  
15 affirming its effective status, a copy of which resolutions shall  
16 be sent to the Department of Community Affairs, Bureau of Local  
17 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

18 **APPROVED AND ADOPTED** by the Board of County Commissioners of  
19 Palm Beach County, on the 26 day of September, 1996.

20 ATTEST:  
21 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

22 By: Dorothy H. Wilken  
23 Deputy Clerk

Steve  
Chair

24 APPROVED AS TO FORM AND  
25 LEGAL SUFFICIENCY

26 Robert P. Burns  
27 COUNTY ATTORNEY

28 Filed with the Department of State on the 3rd day  
29 of October, 1996.

30 I:\COMMON\PLANNING\CURRENT\AMEND\96-1\BCCADOPT\TRAFFLOS.ORD

EXHIBIT 1

**Traffic Circulation Text Amendment**

**Change:** To amend Policy 4-b of the TCE to be consistent with the new "Florida's Level of Service Standards and Guidelines Manual for Planning"

**Amendment:** REVISE TEXT, **Level of Service Standards, Policy 4-b** is amended with the additions shown in an underline format and the deletions shown in a ~~struck-through~~ format.

**Policy 4-b:** No development order shall be issued by the County or a municipality for any project that adds traffic to any major thoroughfare with a volume exceeding, or which will exceed, the adopted level of service standards, except as specifically provided otherwise in this Traffic Circulation Element. The determination of whether the standard is exceeded shall consist of Test One (including Alternate Test One) and Test Two and both must be satisfied. Test One shall analyze the existing and projected level of service on an Average Daily Traffic (ADT) basis and on a peak hour basis on the Major Thoroughfare system during the anticipated buildout period of the proposed project for which the development order is sought. Test Two shall analyze the proposed project against the level of service standards on the improved Major Thoroughfare system (the 2010 Highway System Needs Plan as modified by Table 3). An applicant for a development order may utilize Alternate Test One (in lieu of Test 1 only). Alternate Test One shall be satisfied if: (1) the peak hour, peak season, directional link volume does not exceed the adopted level of service standard; and (2) the intersection's critical volume (using the Transportation Research Board's Special Report 209, Highway Capacity Manual (1985), "Capacity Analysis," pp. 9-21 and 9-22) does not exceed one thousand four hundred (1,400) for Level of Service D Standard and one thousand five hundred (1,500) for Level of Service E Standard during the peak hours of the peak season. Level of Service E Standards are set forth herein for use only where specifically provided in this Element.

The adopted thresholds for Level of Service D and E Standards for Test One on an ADT basis are as follows:

TABLE A  
Annual Average Daily Level of Service Standards Thresholds - Test One

<u>Facility</u>	<u>Existing LOS D*</u>	<u>Proposed LOS D**</u>	<u>Existing LOS E*</u>	<u>Proposed LOS E**</u>
	<u>Standard</u>	<u>Standard</u>	<u>Standard</u>	<u>Standard</u>
		<u>Threshold</u>		<u>Threshold</u>
2 lanes undivided	13,400	<u>14,300</u>	15,000	<u>15,900</u>
3 lanes two-way	<u>14,000</u>	<u>15,000</u>	15,700	<u>16,700</u>
2 lanes one-way	<u>17,600</u>	<u>18,700</u>	19,300	<u>20,400</u>
3 lanes one-way	<u>27,000</u>	<u>28,500</u>	29,300	<u>30,800</u>
<u>4 lanes undivided</u>	<u>23,520</u>	<u>23,300</u>	25,800	<u>25,500</u>
4 lanes divided	<u>29,400</u>	<u>31,100</u>	32,200	<u>34,000</u>
5 lanes divided	<u>29,400</u>	<u>31,100</u>	32,200	<u>34,000</u>
6 lanes divided	<u>45,000</u>	<u>47,500</u>	48,800	<u>51,400</u>
8 lanes divided	<u>55,800</u>	<u>58,000</u>	60,400	<u>62,900</u>
4 lanes expressway	<u>68,900</u>	<u>67,000</u>	74,000	<u>80,800</u>
6 lanes expressway	<u>103,400</u>	<u>100,600</u>	111,200	<u>126,900</u>
8 lanes expressway	<u>137,900</u>	<u>134,100</u>	149,200	<u>169,200</u>
10 lanes expressway	<u>172,300</u>	<u>167,700</u>	185,300	<u>211,400</u>

Source: \*FDOT Level of Service Manual, Generalized Daily Level of Service Maximum Volumes, Group C and Group, for urbanized areas (April 1992).

\*\* FDOT Level of Service Manual, Generalized Annual Average Daily Volumes for Florida's urbanized areas Table E1, Class Ib and Group 1 (August 1995). The 3 lanes, two-way and 4 lanes undivided are not a FDOT facility type.

The adopted thresholds for Level of Service Standards for Test 2 are Level of Service E in Table A.

The adopted thresholds for peak hour, peak season, peak direction level of service D and E standards for Alternate Test One are as follows:

**TABLE B**  
**Peak Hour, Peak Season, Peak Direction Level of Service Standards Thresholds**  
**Alternate Test One**

<u>Facility</u>	<u>Existing*</u> LOS-D Standard	<u>Proposed**</u> LOS D Standard	<u>Proposed**</u> LOS D Standard Threshold <u>Threshold Signals per Mile</u> > 0.00 to 2.49    2.50 to 4.50
2 lanes undivided	1,030	880	760
3 lanes two-way	1,080	940	800
2 lanes one-way	2,270	2,270	1,970
3 lanes one-way	4,000	3,410	3,110 3,010
<u>4 lanes undivided</u>	1,770	1,420	1,230
4 lanes divided	2,210	1,890	1,640
5 lanes divided	2,210	1,890	1,640
6 lanes divided	3,330	2,840	2,510
8 lanes divided	4,170	3,480	3,060
4 lanes expressway	3,450		3,350
6 lanes expressway	5,170		5,030
8 lanes expressway	6,890		6,700
10 lanes expressway	8,610		8,380

**TABLE B (CONTINUED)**  
**Peak Hour, Peak Season, Peak Direction Level of Service Standards Thresholds**  
**Alternate Test One**

<u>Facility</u>	<u>Existing*</u> LOS-E Standard	<u>Proposed**</u> LOS E Standard	<u>Proposed**</u> LOS E Standard Threshold <u>Threshold Signals per Mile</u> > 0.00 to 2.49    2.50 to 4.50
2 lanes undivided	1,280	900	840
3 lanes two-way	1,340	950 920	880
2 lanes one-way	3,120	2,270	2,160
3 lanes one-way	4,670	3,140 3,410	3,250
<u>4 lanes undivided</u>	2,080	1,420	1,350
4 lanes divided	2,600	1,890	1,800
5 lanes divided	2,600	1,890	1,800
6 lanes divided	3,890	2,840	2,710
8 lanes divided	4,870	3,480	3,320
4 lanes expressway	3,710		4,040
6 lanes expressway	5,560		6,340
8 lanes expressway	7,410		8,460
10 lanes expressway	9,260		10,570

Source: \* FDOT Level of Service Manual: Generalized Peak Hour/Peak Directional Level of Service Maximum Volumes for Florida's Urbanized Areas, Group A and Group I (April 1992).

\*\* FDOT Level of Service Manual Generalized Peak Hour/Peak Directional Volumes for Florida's urbanized areas, Table 5-1, Class 1a and 1b and Group I (August 1995). The 3 lanes two-way and the 4 lanes undivided are not a FDOT facility type.

The adopted thresholds for Level of Service D and E Standards for Test One on a peak hour basis are as follows:

**TABLE C**  
**Peak Hour Level of Service Standards Thresholds**  
**Test One**

<u>Facility</u>	Existing* LOS-D Standard	Proposed ** LOS D Standard	Existing* LOS-E Standard	Proposed ** LOS E Standard Threshold
2 lanes undivided	1,220	1,330	1,370	1,480
3 lanes two-way	1,280	1,400	1,450	1,550
2 lanes one-way	1,600	1,730	1,760	2,000
3 lanes one-way	2,460	2,650	2,660	2,870
<u>4 lanes undivided</u>	<u>2,140</u>	<u>2,170</u>	<u>2,350</u>	<u>2,370</u>
4 lanes divided	2,670	2,890	2,930	3,160
5 lanes divided	2,670	2,890	2,930	3,160
6 lanes divided	4,100	4,420	4,440	4,780
8 lanes divided	5,070	5,390	5,550	5,850
4 lanes expressway	6,070	5,900	6,500	7,100
6 lanes expressway	9,100	8,500	9,780	10,700
8 lanes expressway	12,130	11,300	13,050	14,200
10 lanes expressway	15,170	14,800	16,310	18,600

Source: \* FDOT Level of Service Manual, Generalized Peak Hour Level of Service Maximum Volumes, Group C and Group I (April 1992).

\*\* FDOT Level of Service Manual Generalized Two-Way Peak Hour Volumes for Florida's urbanized areas, Table F-1, Group Ib (August 1995). The 3 lanes two-way and the 4 lanes undivided are not a FDOT facility type.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 9/26/96  
DATED at West Palm Beach, FL on 10/11/96.  
DOROTHY H. WILKEN, Clerk  
By: Maryellis A. House D.C.

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM  
CODRS CODING FORM**

**Instructions:** Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach _____)	COUNTY ORDINANCE #: (87-1) _____ <small>(e.g., 82-001)</small>
PRIMARY KEYFIELD	
DESCRIPTOR: (Comprehensive Planning _____)	
SECONDARY KEYFIELD	
DESCRIPTOR: (Land Use Planning _____)	
OTHER KEYFIELD	
DESCRIPTOR: ( _____)	
ORDINANCE DESCRIPTION: (PLAN TEXT Amendment) <small>(25 characters maximum including spaces)</small>	
ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: ( _____); AMENDMENT # 2: ( _____).	
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: ( _____); REPEAL # 3: ( _____);	
REPEAL # 2: ( _____); REPEAL # 4: ( _____);	
(Others repealed: list all that apply): _____	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: (_____) _____
KEYFIELD 1 CODE: (_____)	KEYFIELD 2 CODE: (_____)
KEYFIELD 3 CODE: (_____)	Page 1 of 1